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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,633	02/18/2004	Hirofumi Kanai	04329.3243	9081
22852	7590	02/18/2009		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER PERUNGAVOOR, VENKATANARAY	
			ART UNIT 2432	PAPER NUMBER
			MAIL DATE 02/18/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/779,633

Applicant(s)

KANAI, HIROFUMI

Examiner

Venkat Perungavoor

Art Unit

2432

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 11/18/2008 have been fully considered but they are not persuasive.

The Applicant argues that the operation switch operated by the user arranged on a body and commands information from an external device is absent in Takayama, Duong and Braun.

Takayama discloses the operation switch arranged on the body see Fig. 3 item 204 that operates to switch from one mode to another. And further Braun mentions external device providing the command information see Col 7 Ln 42-60. That is, Braun teaches a control circuit controlling driver circuit, where control circuit has command information and data coming from the bus see Col 7 Ln 42-51 & Fig. 3A item control circuit and setting circuit. Braun also teaches the control signal coming into the driver circuit to drive/control driver circuit see Col 7 Ln 29-40.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Patent 5717582 to Duong in view of US Patent 2003/0057994 to Braun et al.(hereinafter Braun) and further in view of US Patent Publication 2002/0194121 to Takayama.

Regarding Claim 1, 13, 17, Duong discloses a potential detection section which detects a predetermined potential applied to a serial bus terminal see Fig. 1 item 10;

a power supply section which supplies the predetermined potential to each component part as a source potential upon detection of the predetermined potential by the potential detection section see Col 3 Ln 16-31;

an information detection section which detects command information from an external device supplied to the serial bus terminal see Col 3 Ln 40-46;

Duong does not disclose the switch and the encryption process. However, Braun discloses

a determining section which determines a key operation mode for performing a process in accordance with at least operating information supplied from an operation switch operated by a user arranged on a body, before the information detection section detects the command information and after the potential detection section detects the predetermined potential see Par. 0044 & Par. 0029, and

which changes the key operation mode to a command operation mode for performing a process in accordance with the command information supplied to the serial bus terminal, after the information detection section detects the command information see Par. 0016.

It would be obvious to one having ordinary skill in the art at the time of the invention to include switch in the invention of Duong in order to have a interface for modes as taught in Braun see Fig. 1.

And further, Duong nor Braun disclose the encryption process. However, Takayama discloses the encryption process see Par. 0076. It would be obvious to one having ordinary skill in the art at the time of the invention to include the encryption process in the invention of Duong in order to provide a secure channel between entities as taught in Takayama see Par. 1178.

Regarding Claims 2-5, 14-15, Braun discloses the changing of modes in response to drop in potential and dual mode operation see Par. 008.

Regarding Claims 6-12, 16, Braun discloses the changing of modes after lapse of time and the external source supplying the voltage see Par. 0040.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./
Examiner, Art Unit 2432
February 13, 2009

/Gilberto Barron Jr./
Supervisory Patent Examiner, Art Unit 2432